

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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U.S. DISTRICT COURT  
DISTRICT OF MASS.

CITY OF BOSTON, )  
 )  
Plaintiff )  
 )  
REINAUER TRANSPORTATION, )  
COMPANIES, LLC )  
Defendant )  
 )

CIVIL ACTION NO.:03-12415 (RWZ)

**JOINT RULE 16.1(D) MEMORANDUM**

The Plaintiff, City of Boston, and Defendant, Reinauer Transportation Companies, LLC, hereby submit their Joint Statement pursuant to Rule 16.1(D) of the Local Rules for the District of Massachusetts.

1. **Agenda:**

- 1.1 Status of settlement discussions
- 1.2 Proposed pre-trial schedule

2. **Proposed pre-trial schedule:**

- 2.1 Initial disclosures of the parties pursuant to Fed.R.Civ.P. 26(a) to be exchanged by no later than April 15, 2005.
- 2.2 Motions to amend pleadings or join parties by May 13, 2005.
- 2.3 Completion of fact discovery (written discovery and depositions) by October 28, 2005.
- 2.4 All discovery motions must be filed within thirty (30) days of receiving the discovery or the responses that are the subject of such motion.
- 2.5 Reports of Plaintiff's experts shall be disclosed by November 25, 2005. Reports

of Defendant's experts shall be disclosed by December 30, 2005. Each party agrees to make its experts available for deposition on a mutually agreeable date following the disclosure of each expert's report. Expert discovery shall be completed by February 24, 2006. Each party must disclose rebuttal experts within forty-five (45) days of the disclosure of the expert to be rebutted.

2.6 All dispositive motions must be filed by March 24, 2006.

2.7 Proposed date for Final Pretrial Conference -- on or after April 21, 2006.

3. Alternative Dispute Resolution

The parties are discussing the possibility of participating in one or more of the ADR mechanisms set out in Local Rule 16.4, but have not yet reached agreement on this issue.

4. Consent to Magistrate

The parties do not, at present, consent to the appointment of a Magistrate Judge as to any matters.

5. Concise summary of positions:

Plaintiff: This is an action under the general maritime law of the United States to recover damages for City of Boston as a result of defendant's vessel alliding with the fendering system of the Chelsea Street Bridge on December 2, 2000 causing property damage.

Defendant:

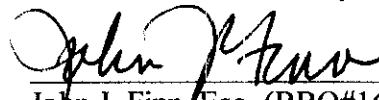
Defendant denies that it has caused the damage claimed by plaintiff to the fendering system of the Chelsea Street Bridge and further claims that plaintiff was responsible for said damage because the bridge constitutes a hazard to navigation. Defendant has counterclaimed for damage it incurred in the allision as a result of the hazard caused by the bridge.

6. Rule 16.1 Certifications:

The parties will file fully executed Certifications at or before the Scheduling Conference.

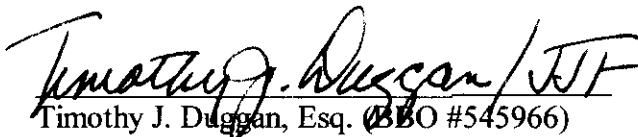
Dated: March 11, 2005

City of Boston  
By Its Attorneys,



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Reinauer Transportation Companies, LLC  
By Its Attorneys



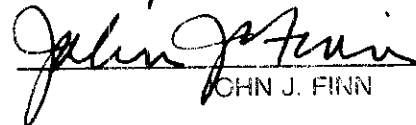
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail

by hand on 3/11/05

  
JOHN J. FINN